

Union Calendar No. 203

108TH CONGRESS
1ST SESSION

H. R. 506

[Report No. 108-346]

To provide for the protection of archaeological sites in the Galisteo Basin
in New Mexico, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2003

Mr. UDALL of New Mexico introduced the following bill; which was referred
to the Committee on Resources

NOVEMBER 4, 2003

Additional sponsor: Mrs. WILSON of New Mexico

NOVEMBER 4, 2003

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on January 29, 2003]

A BILL

To provide for the protection of archaeological sites in the
Galisteo Basin in New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Galisteo Basin Archae-*
3 *ological Sites Protection Act”.*

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) *FINDINGS.*—*The Congress finds that—*

6 (1) *the Galisteo Basin and surrounding area of*
7 *New Mexico is the location of many well preserved*
8 *prehistoric and historic archaeological resources of*
9 *Native American and Spanish colonial cultures;*

10 (2) *these resources include the largest ruins of*
11 *Pueblo Indian settlements in the United States, spec-*
12 *tacular examples of Native American rock art, and*
13 *ruins of Spanish colonial settlements; and*

14 (3) *these resources are being threatened by nat-*
15 *ural causes, urban development, vandalism, and un-*
16 *controlled excavations.*

17 (b) *PURPOSE.*—*The purpose of this Act is to provide*
18 *for the preservation, protection, and interpretation of the*
19 *nationally significant archaeological resources in the*
20 *Galisteo Basin in New Mexico.*

21 **SEC. 3. GALISTEO BASIN ARCHAEOLOGICAL PROTECTION**
22 **SITES.**

23 (a) *IN GENERAL.*—*Except as provided in subsection*
24 *(d), the following archaeological sites located in the Galisteo*
25 *Basin in the State of New Mexico, totaling approximately*

1 4,591 acres, are hereby designated as Galisteo Basin Ar-
 2 chaeological Protection Sites:

Name	Acres
Arroyo Hondo Pueblo	21
Burnt Corn Pueblo	110
Chamisa Locita Pueblo	16
Comanche Gap Petroglyphs	764
Espinoso Ridge Site	160
La Cienega Pueblo & Petroglyphs	126
La Cienega Pithouse Village	179
La Cieneguilla Petroglyphs/Camino Real Site	531
La Cieneguilla Pueblo	11
Lamy Pueblo	30
Lamy Junction Site	80
Las Huertas	44
Pa'ako Pueblo	29
Petroglyph Hill	130
Pueblo Blanco	878
Pueblo Colorado	120
Pueblo Galisteo/Las Madres	133
Pueblo Largo	60
Pueblo She	120
Rote Chert Quarry	5
San Cristobal Pueblo	520
San Lazaro Pueblo	360
San Marcos Pueblo	152
Upper Arroyo Hondo Pueblo	12
Total Acreage	4,591

3 (b) *AVAILABILITY OF MAPS.*—The archaeological pro-
 4 tection sites listed in subsection (a) are generally depicted
 5 on a series of 19 maps entitled “Galisteo Basin Archae-
 6 ological Protection Sites” and dated July, 2002. The Sec-
 7 retary of the Interior (hereinafter referred to as the “Sec-
 8 retary”) shall keep the maps on file and available for public
 9 inspection in appropriate offices in New Mexico of the Bu-
 10 reau of Land Management and the National Park Service.

11 (c) *BOUNDARY ADJUSTMENTS.*—The Secretary may
 12 make minor boundary adjustments to the archaeological

1 *protection sites by publishing notice thereof in the Federal*
2 *Register.*

3 (d) *WITHDRAWAL OF PRIVATE PROPERTY.*—Upon the
4 *written request of an owner of private property included*
5 *within the boundary of an archaeological site protected*
6 *under this Act, the Secretary shall immediately remove that*
7 *private property from within that boundary.*

8 **SEC. 4. ADDITIONAL SITES.**

9 (a) *IN GENERAL.*—The Secretary shall—

10 (1) *continue to search for additional Native*
11 *American and Spanish colonial sites in the Galisteo*
12 *Basin area of New Mexico; and*

13 (2) *submit to Congress, within three years after*
14 *the date funds become available and thereafter as*
15 *needed, recommendations for additions to, deletions*
16 *from, and modifications of the boundaries of the list*
17 *of archaeological protection sites in section 3 of this*
18 *Act.*

19 (b) *ADDITIONS ONLY BY STATUTE.*—Additions to or
20 *deletions from the list in section 3 shall be made only by*
21 *an Act of Congress.*

22 **SEC. 5. ADMINISTRATION.**

23 (a) *IN GENERAL.*—

24 (1) *The Secretary shall administer archaeological*
25 *protection sites located on Federal land in accordance*

1 *with the provisions of this Act, the Archaeological Re-*
2 *sources Protection Act of 1979 (16 U.S.C. 470aa et*
3 *seq.), the Native American Graves Protection and Re-*
4 *patiation Act (25 U.S.C. 3001 et seq.), and other ap-*
5 *plicable laws in a manner that will protect, preserve,*
6 *and maintain the archaeological resources and pro-*
7 *vide for research thereon.*

8 (2) *The Secretary shall have no authority to ad-*
9 *minister archaeological protection sites which are on*
10 *non-Federal lands except to the extent provided for in*
11 *a cooperative agreement entered into between the Sec-*
12 *retary and the landowner.*

13 (3) *Nothing in this Act shall be construed to ex-*
14 *tend the authorities of the Archaeological Resources*
15 *Protection Act of 1979 or the Native American Graves*
16 *Protection and Repatriation Act to private lands*
17 *which are designated as an archaeological protection*
18 *site.*

19 (b) *MANAGEMENT PLAN.*—

20 (1) *IN GENERAL.*—*Within three complete fiscal*
21 *years after the date funds are made available, the*
22 *Secretary shall prepare and transmit to the Com-*
23 *mittee on Energy and Natural Resources of the*
24 *United States Senate and the Committee on Resources*
25 *of the United States House of Representatives, a gen-*

1 *eral management plan for the identification, research,*
 2 *protection, and public interpretation of—*

3 *(A) the archaeological protection sites lo-*
 4 *cated on Federal land; and*

5 *(B) for sites on State or private lands for*
 6 *which the Secretary has entered into cooperative*
 7 *agreements pursuant to section 6 of this Act.*

8 *(2) CONSULTATION.—The general management*
 9 *plan shall be developed by the Secretary in consulta-*
 10 *tion with the Governor of New Mexico, the New Mex-*
 11 *ico State Land Commissioner, affected Native Amer-*
 12 *ican pueblos, and other interested parties.*

13 **SEC. 6. COOPERATIVE AGREEMENTS.**

14 *The Secretary is authorized to enter into cooperative*
 15 *agreements with owners of non-Federal lands with regard*
 16 *to an archaeological protection site, or portion thereof, lo-*
 17 *cated on their property. The purpose of such an agreement*
 18 *shall be to enable the Secretary to assist with the protection,*
 19 *preservation, maintenance, and administration of the ar-*
 20 *chaeological resources and associated lands. Where appro-*
 21 *priate, a cooperative agreement may also provide for public*
 22 *interpretation of the site.*

23 **SEC. 7. ACQUISITIONS.**

24 *(a) IN GENERAL.—The Secretary is authorized to ac-*
 25 *quire lands and interests therein within the boundaries of*

1 *the archaeological protection sites, including access thereto,*
2 *by donation, by purchase with donated or appropriated*
3 *funds, or by exchange.*

4 (b) *CONSENT OF OWNER REQUIRED.—The Secretary*
5 *may only acquire lands or interests therein with the consent*
6 *of the owner thereof.*

7 (c) *STATE LANDS.—The Secretary may acquire lands*
8 *or interests therein owned by the State of New Mexico or*
9 *a political subdivision thereof only by donation or exchange,*
10 *except that State trust lands may only be acquired by ex-*
11 *change.*

12 **SEC. 8. WITHDRAWAL.**

13 *Subject to valid existing rights, all Federal lands with-*
14 *in the archaeological protection sites are hereby with-*
15 *drawn—*

16 (1) *from all forms of entry, appropriation, or*
17 *disposal under the public land laws and all amend-*
18 *ments thereto;*

19 (2) *from location, entry, and patent under the*
20 *mining law and all amendments thereto; and*

21 (3) *from disposition under all laws relating to*
22 *mineral and geothermal leasing, and all amendments*
23 *thereto.*

24 **SEC. 9. SAVINGS PROVISIONS.**

25 *Nothing in this Act shall be construed—*

1 (1) to authorize the regulation of privately
2 owned lands within an area designated as an archae-
3 ological protection site;

4 (2) to modify, enlarge, or diminish any author-
5 ity of Federal, State, or local governments to regulate
6 any use of privately owned lands;

7 (3) to modify, enlarge, or diminish any author-
8 ity of Federal, State, tribal, or local governments to
9 manage or regulate any use of land as provided for
10 by law or regulation; or

11 (4) to restrict or limit a tribe from protecting
12 cultural or religious sites on tribal lands.

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